

SCHERING-PLOUGH CORPORATION  
LAW DEPARTMENT  
2000 GALLOPING HILL ROAD  
K-6-1, MAIL STOP 1990  
KENILWORTH, NEW JERSEY 07033  
(908) 298-4000

RECEIVED  
CENTRAL FAX CENTER  
JUL 27 2006

---

**FACSIMILE TRANSMITTAL SHEET**

---

TO:

USPTO

Mailstop: AMENDMENT

FAX NUMBER:

571-273-8300

FROM:

Grant E. Reed

PHONE NUMBER:

(908) 298-5067

TOTAL NO. OF PAGES INCLUDING COVER

9

DATE

July 27, 2006

**CONFIDENTIALITY NOTE:** This sheet and/or the document(s) accompanying it contain information belonging to Schering-Plough Corporation and/or its affiliates which is confidential and/or legally privileged. The information is intended only for the use of the individual or entity named above. If you have received this fax in error, please immediately notify us by telephone. If there is a problem with this transmission please call Patricia Mascenik at (908)298-7216.

NOTES/COMMENTS:


**PLEASE HAND DELIVER**

In re Application of: Behan et al.  
Title: **HISTAMINE RECEPTOR**  
Group Art Unit: 1649  
Attorney Docket No.: CN01069BQUS  
US Serial No.: 10/616,088  
Filed: 07/08/2003

Dear Examiner:

Transmitted here with are:

- Fax Cover Sheet – 1 Page
- Certificate of Transmission PTO/SB/97 – 1 Page
- Transmittal PTO/SB/21—1 Page
- Amendment – 6 Pages

  
\_\_\_\_\_  
Grant E. Reed  
Registered Representative  
Registration No. 41,264

PHONE: (908) 298-5067

FAX: (908) 298-5388

RECEIVED  
CENTRAL FAX CENTER  
JUL 27 2006

Docket Number: CN01069BQUS  
Application No: 10/616,088  
Filing Date: July 8, 2003  
First Inventor: Behan

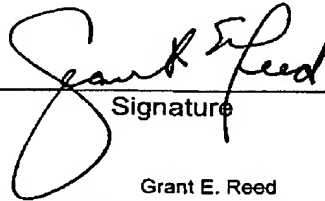
PTO/SB/97 (09-04)  
Approved for use through 07/31/2006. OMB 0851-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office 571-273-8300, Mail Stop: Amendment

on July 27, 2006  
Date

  
Signature

Grant E. Reed

Typed or printed name of person signing Certificate

41,264

Registration Number, if applicable

908-298-5067

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Facsimile Cover Sheet - 1 page.

Certificate of Fax Transmission SB97 - 1 page.

Transmittal Form SB21 - 1 page.

Amendment - 6 pages.

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FAX CENTER  
JUL 27 2006

Via Facsimile to 571-273-8300

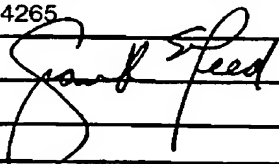
PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/616,088
	Filing Date	July 8, 2003
	First Named Inventor	Behan
	Art Unit	1649
	Examiner Name	Ulm, John D.
	Attorney Docket Number	CN01069BQUS
Total Number of Pages in This Submission		9

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Cover Sheet - 1 page. Certificate of Fax Transmission SB97 - 1 page
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Customer No: 24265		
Signature			
Printed name	Grant E. Reed		
Date	July 27, 2006	Reg. No.	41,264

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Grant E. Reed	Date	July 27, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FAX CENTER  
JUL 27 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Behan <i>et al.</i>	:	Art Unit: 1649
Serial No.: 10/616,088	:	Examiner: Ulm, John D.
Filing Date: July 8, 2003	:	
Title: HISTAMINE RECEPTOR	:	
Attorney Docket No.: CN01069BQ	:	

AMENDMENT AND REPLY TO OFFICE ACTION

Kenilworth, NJ 07033  
July 27, 2006

Mail Stop: Amendment  
Director of the United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This amendment and reply is being filed in response to the Office Action mailed May 1, 2006 in the above-captioned application.

An Amendment of the Specification begins on page 2 of this paper.

An Amendment of the Claims begins on page 3 of this paper. Applicants' Remarks begin on page 6 of this paper.